

Advisory Opinion 2001-1

ADVISORY OPINION

October 3, 2001

The director of a county agency requested permission to solicit sponsors to support an annual event relating to the work of that agency.

After considering the provisions of the Ethics Law, the Commission determined that Section 19A-16(b)(3) requires that approval for this fund raising activity be granted by the County Executive. This section specifically states that:

“ . . . a public employee may solicit a gift:

- (3) from any person, during official work hours, while identifiable as a public employee, or at a County agency, for the benefit of a County agency or a nonprofit organization formally cooperating on a program with a County agency if the solicitation is authorized by the County Executive or (for public employees of the legislative branch) the President of the Council in an order printed in the County Register that designates:
 - (A) the public employee authorized to solicit the gift;
 - (B) the purpose for which the gift is sought;
 - (C) the manner in which the gift may be solicited;
 - (D) the persons or class of persons from whom gifts may be solicited; and
 - (E) the type of gifts that may be solicited.”

Although the Ethics Law provides guidelines by which this undertaking may be approved, the Commission requested that the County Executive include the following conditions in his order:

1. the prohibition of solicitations from any entities with cases pending before this agency; and
 2. the publication of a list of all gifts received by the agency in the County Register after the event has occurred.
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